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8 **IN THE UNITED STATES DISTRICT COURT FOR**
9 **THE WESTERN DISTRICT OF WASHINGTON (SEATTLE)**
10 **IN ADMIRALTY**

11 G.O. AMERICA SHIPPING COMPANY, INC., a
12 corporation registered in the Republic of the
13 Marshall Islands,

14 Plaintiff(s),

15 v.

16 CHINA COSCO SHIPPING CORPORATION
17 LIMITED, a company registered in the People
18 Republic of China, CHINA SHIPPING
19 INDUSTRY, (Shanghai Changxing) Co. Ltd., and
20 COSCO SHIPPING HEAVY INDUSTRY CO.,
21 subsidiaries of CHINA COSCO SHIPPING
22 CORPORATION LIMITED,

23 Defendant(s).

Case No.

MOTION AND DECLARATION FOR RULE B
ATTACHMENT

24 **TO:** The United States District Court Clerk's Office; and
25 **TO:** China COSCO Shipping Corporation

26 **I. INTRODUCTION**

27 COMES NOW, the Plaintiff, G.O. AMERICA SHIPPING COMPANY INC. (hereinafter referred
28 to as "Plaintiff"), by and through its attorney of record, Edward C. Chung, with the law firm of CHUNG,
29 MALHAS & MANTEL, PLLC, and hereby brings this Motion and Declaration for Rule B attachment. The
30 relief and basis for this motion is predicated on the following:
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II. MOTION AND DECLARATION FOR MARITIME B ATTACHMENT

I, Edward C. Chung, declare as follows:

1. ***Admission into Washington State Bar and United States District Court for the Western District of Washington.*** I am a member of the Washington State Bar and am in good standing with the Washington State Supreme Court. In addition to my admission into Washington State, I have also been granted admission into the Washington State District Court for the Western District of Washington.
2. ***Knowledge of Contents Contained in Plaintiff's Verified Complaint.*** I am the attorney of record for the above captioned Plaintiff and hereby declare I am familiar with the facts of this case and make this declaration in support of Plaintiff's prayer for the issuance of a Writ of Maritime Attachment and Garnishment, pursuant to Rule B of the Supplemental Admiralty Rules of the Federal Rules of Civil Procedure.
3. ***Due Diligence on Defendants Not Being Present Within Western District of Washington.*** Prior to filing this motion and the Verified Complaint, I have attempted to locate the above captioned Defendants within this District. As part of my investigation to locate the Defendants, I checked the telephone company information directory, as well as the white and yellow pages for Seattle listed on the Internet or World Wide Web, and did not find any listing for the Defendant. Finally, I checked the Washington State Secretary of State Online Database showed no listings or registration for the above captioned Defendants.
4. ***Defendants Not Within Judicial District.*** I submit based on the foregoing that the Defendant cannot be found within this District within the meaning of Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims.
5. ***Attachment of Personal Assets Belonging to Defendants.*** Upon information and belief: The Defendant has, or will have during the pendency of this action, tangible and intangible property within this District and subject to the jurisdiction of this Court, held in the hands of in the hands of garnishees within this District, which are believed to be due and owing to the Defendant. This is Plaintiff's first request for this relief made to this Court.



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2 *I, Edward C. Chung, declare under penalty of perjury under the laws of the United States that the*
3 *foregoing is true and correct and that I signed this Declaration on this 13th day of June, 2017 in*
4 *Seattle, Washington, County of King.*

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6 /s/ Edward C. Chung

7 Edward C. Chung, WSBA# 34292

8 Attorney for Plaintiff

9 **III. MOTION FOR ORDER ALLOWING SPECIAL PROCESS SERVER**

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11 1. Plaintiff seeks an Order pursuant to Rule 4(c) of the Federal Rules of Civil Procedure, for an
12 Order appointing Edward C. Chung, Esq., or any other partner, associate, paralegal or agent of
13 CHUNG, MALHAS & MANTEL, PLLC or any process server employed by Seattle Process
14 Servers, in addition to the United States Marshal, to serve the Ex Parte Order and Process of
15 Maritime Attachment and Garnishment, together with any interrogatories, upon the garnishee(s),
16 together with any other garnishee(s) who (based upon information developed subsequent hereto
17 by the Plaintiff) may hold assets of, for or on account of: the Defendant.
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19 2. Plaintiff seeks to serve the prayed for Process of Maritime Attachment and Garnishment with all
20 deliberate speed so that it may be fully protected against the potential of being unable to satisfy a
21 judgment/award ultimately obtained by Plaintiff and entered against the Defendant.
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23 3. To the extent that this application for an Order appointing a special process server with respect to
24 this attachment and garnishment may not involve a restraint of physical property, there may need to
25 require that the service be effected by the Marshal as it involves simple delivery of the Process of
26 Maritime Attachment and Garnishment to the various garnishees to be identified in the writ.
27

28 **IV. PRAYER FOR RELIEF TO SERVE LATER IDENTIFIED GARNISHEES**

- 29 4. Plaintiff also respectfully requests that the Court grant it leave to serve any additional garnishee(s)
30 who may, upon information and belief obtained in the course of this litigation, to be holding, or
31 believed to be holding, property of the Defendant, within this District.
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Obtaining leave of Court at this time to serve any later identified garnishees will allow for prompt service of the Process of Maritime Attachment and Garnishment without the need to present to the Court amended Process seeking simply to identify other garnishee(s).

V. PRAYER FOR RELIEF TO DEEM SERVICE CONTINUOUS

5. Further, in order to avoid the need to repetitively serve the garnishees/banks, Plaintiff respectfully seeks further leave of the Court, as set out in the accompanying Ex Parte Order for Process of Maritime Attachment, for any process that is served on a garnishee to be deemed effective and continuous service of process throughout any given day on which process is served; and throughout the next day, provided that process is served that day, and to authorize service of process via facsimile or e-mail following initial *in personam* service.

Respectfully Submitted this 13th day of June 2017.

CHUNG, MALHAS & MANTEL, PLLC:

/s/ Edward C. Chung

Edward C. Chung, WSBA# 34292
Attorney for Plaintiff

